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18CV4434, 18CV4833, 18CV7824, 18CV7827, 18CV7828, 18CV7829, 19CV1781, 19CV1783, 19CV1785, 19CV1788, 19CV1791, 19CV1792, 19CV1794, 19CV1798, 19CV1800, 19CV1801, 19CV1803, 19CV1806, 19CV1808, 19CV1809, 19CV1810, 19CV1812, 19CV1813, 19CV1815, 19CV1818, 19CV1865, 19CV1866, 19CV1867, 19CV1868, 19CV1869, 19CV1870, 19CV1871, 19CV1873, 19CV1893, 19CV1894, 19CV1895, 19CV1896, 19CV1898, 19CV1904, 19CV1906, 19CV1911, 19CV1918, 19CV1922, 19CV1924, 19CV1926, 19CV1928, 19CV1929, 19CV1930, 19CV1931, 19CV10713, 21CV5339

September 30, 2024

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## VIA ECF

Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007Re: *In re Customs and Tax Administration of the Kingdom of Denmark  
(Skatteforvaltningen) Tax Refund Scheme Litigation*, No. 18-md-02865-LAK

Dear Judge Kaplan:

Defendants write to respectfully withdraw the September 26, 2024 letter motion (ECF No. 1203) seeking leave to file under seal Exhibits 102, 145, and 147 to Defendants Richard Markowitz and John van Merkenstijn's Offer of Proof Regarding Advice of Counsel (ECF No. 1204).

Each of the above-enumerated Exhibits contains excerpts of deposition testimony that had been designated "Confidential" pursuant to the Revised Amended Stipulated Protective Order Governing Confidentiality of Discovery Materials in this multi-district litigation (No. 18-md-2865, ECF No. 489). As of September 30, 2024, counsel for the deponents have withdrawn the confidentiality designations entirely for all excerpted portions of the testimony. Accordingly, defendants withdraw their prior motion.

Respectfully submitted,

*/s/ Nicholas S. Bahnsen*

Nicholas Bahnsen

Cc: All counsel of record (Via ECF)

**MEMO ENDORSED**

Application granted. Docketing shall terminate the motion to seal filed on 9/26/2024 by attorney Nicholas Bahnsen as DI 1203 under 18-MD-2865(LAK), and also terminate the corresponding filings of that letter motion in all the Trial I cases, the docket numbers of which are listed at the top of this memo endorsed letter. By effect of the Court granting this motion, Docketing shall remove the viewing restrictions in place on the the Pretrial Memorandum and attached exhibits 1 through 149 filed on 9/26/2024 as DI 1204 under 18-MD-29865(LAK), and also likewise do the same for the corresponding filings in the Trial I cases listed above.

**SO ORDERED**10/1/24

LEWIS A. KAPLAN, U.S.D.J.